

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LEONARD C. SANDOVAL,)

Plaintiff,)

vs.)

4:12CV3129

CHAD E. OLDEHOEFT,)

LEONARD E. OLDEHOEFT,)

DORIS HALL, MURPHY GROUP,)

INC., an Oklahoma Corporation,)

a/k/a FW Murphy; and MURPHY)

INDUSTRIES, LLC, a/k/a FW)

Murphy,)

Defendants.)

**MEMORANDUM
AND ORDER**

CHAD E. OLDEHOEFT,)

Third-Party Plaintiff,)

vs.)

MURPHY GROUP, INC., an)

Oklahoma Corporation, a/k/a)

FW Murphy; MURPHY)

INDUSTRIES, LLC, a/k/a FW)

Murphy; and MURCAL, INC., a)

California Corporation, f/k/a Murphy)

Safety Switch of California; and)

Does 1 through 10,)

Third-Party Defendants.)

_____)

NATIONAL RAILROAD)	
PASSENGER CORPORATION,)	
d/b/a AMTRAK,)	8:13CV102
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
CHAD E. OLDEHOEFT,)	
LEONARD E. OLDEHOEFT,)	
DORIS HALL, MURPHY GROUP,)	
INC., an Oklahoma Corporation,)	
a/k/a FW Murphy; and MURPHY)	
INDUSTRIES, LLC, a/k/a FW)	
Murphy,)	
)	
Defendants.)	
)	

Plaintiff National Railroad Passenger Corporation, d/b/a Amtrak, and defendants Murphy Group, Inc., a/k/a FW Murphy, and Murphy Industries, LLC, a/k/a FW Murphy, have filed a joint Stipulation for Dismissal (Filing [201](#) in 4:12CV3129; Filing [118](#) in 8:13CV102), stipulating and jointly moving that Plaintiff National Railroad Passenger Corporation d/b/a Amtrak's claims against Defendants Murphy Group, Inc., a/k/a FW Murphy, and Murphy Industries, LLC, a/k/a FW Murphy, be dismissed with prejudice, each party to pay their own costs and attorney fees. I shall enter an order dismissing such claims.

I also note that on December 5, 2013, I issued an order dismissing various claims and stating that "the only remaining claims in the above-captioned cases are Sandoval and Amtrak's claims against Murphy Group, a/k/a FW Murphy and Murphy Industries." (Filing [198](#) in 4:12CV3129.) Since that date, Leonard C. Sandoval's claims against Murphy Group, Inc., a/k/a FW Murphy, and Murphy Industries, LLC, were dismissed with prejudice (Filing [200](#) in 4:12CV3129; Filing [117](#) in 8:13CV102),

and this Memorandum and Order will dismiss Amtrak's claims against Murphy Group, a/k/a FW Murphy and Murphy Industries. It appears, then, that all claims between all parties have been dismissed from this action, and judgment may be entered accordingly. However, due to the numerous piecemeal notices, stipulations, and orders that have been entered dismissing various claims and parties in these cases (Filings [45](#), [120](#), [154](#), [156](#), [167](#), [172](#), [195](#), [196](#), [197](#), [198](#), [199](#), [200](#) in 4:12CV3129; Filings [71](#), [73](#), [84](#), [89](#), [112](#), [113](#), [114](#), [115](#), [116](#), [117](#) in 8:13CV102), I shall give the parties an opportunity to object before judgment is entered to ensure that no claims have been overlooked.

IT IS ORDERED:

1. Pursuant to the Stipulation for Dismissal (Filing [201](#) in 4:12CV3129; Filing [118](#) in 8:13CV102), Plaintiff National Railroad Passenger Corporation d/b/a Amtrak's claims against Defendants Murphy Group, Inc., a/k/a FW Murphy, and Murphy Industries, LLC, a/k/a FW Murphy, are dismissed with prejudice, each party to pay their own costs and attorney fees;

2. Because it appears that all claims against all parties have been dismissed, judgment dismissing Case Nos. 4:12CV3129 and 8:13CV102 shall be entered on February 24, 2014, prior to which time the parties may file objections to the entry of judgment. In the absence of such objections, judgment shall be entered without further notice.

DATED this 13th day of February, 2014.

BY THE COURT:

s/ Richard G. Kopf

Senior United States District Judge